HIGH COURT OF CHHATTISGARH AT BILASPUR

Single Bench : Hon'ble Shri Jagdish Bhalla, Ag. C.J.

Writ Petition (C) No. 4318 of 2007

PETITIONER Navin Sahu, aged about 30 years, son of Late Maniram Sahu, resident of village Mangla, behind Janpad Panchayat Primary School- Mangla, Tahsil Bilaspur, Distt. Bilaspur (CG)

Vs

RESPONDENTS

1. Smt Kamlesh Sahu, aged about 27 years, wife of Navin Sahu
2. Ku. Mili Sahu, aged about 2 years, D/o Navin Sahu, through natural guardian – Smt Kamlesh Sahu, aged about 27 years, wife of Navin Sahu,

   Both are at present resided at Maszidpara – Kota Tahsil and PS Kota Dist. Bilaspur (CG)
3. The Registrar General, High Court of Chhattisgarh, Bilaspur (CG)

Writ Petition under Article 227 of the Constitution of India.

Present: Shri Pawan Kesharwani, counsel for the petitioner.

ORAL ORDER
(Passed on 26th July, 2007)

IA No.2 for taking certified copy of the order dated 14.05.2007 is allowed and the certified copy is taken on record.

In this petition the Registrar General, High Court of Chhattisgarh has been impleaded as respondent No.3 on the ground that a complaint was filed against a judicial officer in this case. I do not find that Registrar General is a necessary party in this case, and accordingly, the Registrar General, High Court of Chhattisgarh is directed to be deleted from the cause title.

This petition is directed against the order dated 21.05.2007 passed by the Family Court Bilaspur in MJC No.27/2007, whereby the maintenance of Rs.2,500/- per month has been awarded to the wife and two year old daughter for their needs.

(48)

It is submitted on behalf of the petitioner that the amount fixed is on the higher side. He has to look after his mother and younger brother, whereas his wife has to look after only their daughter.

Prima facie situation has been created due to out fall of the matrimonial relations, therefore, the wife has prayed for maintenance under Section 125 of the Code of Criminal Procedure.

Learned counsel for the petitioner could not indicate any ground on the basis of which the order passed by the Family Court can be set aside. Accordingly, no interference is called for with the impugned order under Article 227 of the Constitution of India. Thus the petition being devoid of substance is hereby dismissed.

Sd/-
Jagdish Bhalla
Judge

jyo